

### **REMARKS**

Applicants acknowledge that claims 3-11 have been reinstated and rejoined. By this Amendment, Applicants add new claim 22. Therefore, claims 2-11, 14-16, and 20-22 are all the claims pending in the application.

#### ***Reissue Declaration***

It is alleged in the Office Action that the Reissue Declaration filed on September 16, 2003 is defective for not properly identifying “at least one 35 U.S.C. error” (Office Action, page 2, 2<sup>nd</sup> paragraph). In view of the Supplemental Reissue Declaration submitted concurrently with this Amendment, Applicants respectfully submit that the alleged defect of the originally filed Reissue Declaration has been corrected. The Supplemental Reissue Declaration complies with the requirements of 37 C.F.R. § 1.175.

#### ***Conclusion***

The Examiner acknowledges that claims 2-11, 14-16, 20, and 21 are allowable over the prior art of record (Office Action, page 3, last paragraph). Applicants respectfully submit that newly added claim 22 is also patentable over the prior art of record. Since a Supplemental Reissue Declaration complying with the requirements of 37 C.F.R. § 1.175 is being filed concurrently herewith (as noted above), reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)  
U.S. Appln. No.: 10/662,948

Attorney Docket No.: Q76525

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: July 18, 2008

**SUPPLEMENTAL DECLARATION FOR REISSUE  
PATENT APPLICATION TO CORRECT  
"ERRORS" STATEMENT (37 CFR 1.175)**

|                      |                          |
|----------------------|--------------------------|
| Docket Number        | Q76525                   |
| First Named Inventor | YAMAUCHI, Shingo, et al. |
| Application Number   | 10/662,948               |
| Filing Date          | September 16, 2003       |
| Art Unit             | 3751                     |
| Examiner Name        | Timothy Lewis MAUST      |

We hereby declare that:

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

The present reissue is a broadening reissue. Claim 11 of U.S. Patent No. 6,527,018 is broadened by adding new claim 22 (new claim 22 is identical to claim 12 which was added in the preliminary Amendment filed September 16, 2003 and was referred to in the original Reissue Declaration filed on September 16, 2003, claim 12 was subsequently canceled in the Amendment filed April 26, 2007 since the claim was withdrawn from consideration and no issue regarding the originally filed Reissue Declaration was raised by the Examiner at that time) corresponding to the recitations of claim 11 but omitting the following features which are not believed to be required for patentability:

"calculating a necessary amount (A) of the material for the following process; and determining a real amount (B) to be prepared in the following batch process by use of a maximum amount per one batch process M-max, a minimum amount per one batch process M-min, and a standard amount M-st that is determined between the maximum amount M-max and the minimum amount M-min, the real amount being determined by the following steps:  
determining the real amount (B) as the standard amount M-st if the necessary amount (A) is more than twice standard amount M-st;  
determining the real amount (B) as a half of the necessary amount (A)/2 if the necessary amount (A) is between twice standard amount and a maximum amount M-max;  
determining the real amount (B) as the necessary amount (A) if the necessary amount (A) is between the maximum amount M-max and the minimum amount M-min; and  
determining the real amount (B) as the minimum amount M-min if the necessary amount (A) is less than the minimum amount M-min".

Further, claim 1 of U.S. Patent No. 6,527,018 is broadened by adding new claim 13 (see preliminary Amendment filed September 16, 2003, claim 13 matured into claim 14 by virtue of the Amendment filed on October 29, 2007) corresponding to the recitations of claim 1 but omitting the feature reciting "an allocated amount being equal to or more than a minimum amount one batch process can treat" in claim 1 which is not believed to be required for patentability:

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior Reissue Declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|  |   |
|--|---|
| Name of Sole or First Inventor:  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |
| Given Name (first and middle (if any))   | Family Name or Surname  |
| Shingo   | YAMAUCHI  |
| Inventor's Signature <i>Shingo Yamachi</i>   | Date <i>July-11-2008</i>  |
| Name of Second Inventor:   | <input type="checkbox"/> A petition has been filed for this unsigned inventor |
| Given Name (first and middle (if any))   | Family Name or Surname  |
| Shinichiro   | KUWABARA  |
| Inventor's Signature <i>Shinichiro Kuwabara</i>  | Date <i>June-30-2008</i>  |
| <input type="checkbox"/> Additional inventors or legal representative(s) are being named on the _____ supplemental sheets attached hereto. |   |